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9 Dataway, Inc.

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

AT&T Corp.

PLAINTIFF,

v.

Dataway, Inc.

DEFENDANT.

**CASE NO. C07-02440 EDL**

**DEFENDANT AND  
COUNTERPLAINTIFF DATAWAY'S  
NOTICE OF MOTION AND MOTION  
FOR SANCTIONS**

**Date: August 12, 2008  
Time: 9:00 a.m.  
Courtroom: E**

19 Dataway, Inc.

20 COUNTERCLAIMANT

21 v.

22 AT&T Corp.

23 COUNTERDEFENDANT

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1           **PLEASE TAKE NOTICE THAT ON** August 12, 2008, at 9:00 a.m. or as soon  
2 thereafter as the matter may be heard in the above-entitled Court, Defendant and  
3 Counterplaintiff Dataway, Inc. (hereinafter "Dataway") will and hereby does move this Court  
4 for an order imposing sanctions against Plaintiff and Counterdefendant AT&T for failure to  
5 comply with the Court's prior Order for Discovery.

6           Based upon this notice of motion and motion pursuant to F.R.C.P. 37, the accompanying  
7 Memorandum of Points and Authorities in Support of Defendant's Motion for Sanctions, and  
8 the Declaration of Anne-Leith W. Matlock, Esq., in Support of Defendant's Motion, Dataway  
9 seeks an Order for Sanctions to be imposed on Plaintiff and Counterdefendant AT&T for failure  
10 to comply with the Court's prior Order for Discovery.

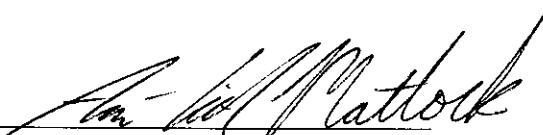
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12 Dated: June 8, 2008

MATLOCK LAW GROUP

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By: 

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Anne-Leith Matlock, Esq.  
Attorneys for Defendant/  
Counterclaimant Dataway, Inc.

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